

REMARKS

Claims 1 – 10, 15, and 16 are pending in the application. Claims 1, 2, 6 - 10, 15, and 16 are currently amended; claims 3 and 11 - 14 are cancelled; claim 4 remains unchanged from the original version thereof; and claim 5 was previously presented. Claims 1, 15, and 16 are the independent claims herein.

No new matter has been added to the application as a result of the present amendments. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 112, Second Paragraph

Claims 1 - 10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly the subject matter which applicant regards as the invention. This rejection is traversed.

Regarding claim 1, Applicant currently amends the claim as suggested in the Office Action to clarify that the risk is associated with the recited one or more of the first or second elements. Applicant appreciates the Examiner's suggested amendment.

Claim 3 is now cancelled. Accordingly, any rejections thereof are moot.

Claims 2 and 4 -10 depend from claim 1. Applicant respectfully submits that claims 2 and 4 - 10 overcome the rejection under 35 USC 112, 2nd paragraph for at least depending from a base that is definite under 35 USC 112, 2nd paragraph.

Accordingly, Applicant requests the reconsideration and withdrawal of the rejection of claims 1, 2, and 4 – 10 under 35 USC 112, 2nd paragraph.

Claim Rejections – 35 USC § 103(a)

Claims 1 - 18 were rejected as being unpatentable over Beverina et al., U.S. Publication No. 2001/0027388 (hereinafter, Beverina) in view of Zimmers et al., U.S. Publication No. 2005/0013417 (hereinafter, Zimmers). This rejection is respectfully traversed.

Applicant respectfully notes that claim 1 is currently amended to clearly recite a method of traversing between the two or more security elements having a hierarchical relationship therebetween. The claimed method provides a user the ability to (1) select a first security element and the risks associated therewith and (2) select a second security element and the risks associated therewith, wherein the first selected element and the second selected element are associated by a hierarchical relationship. In accordance with claim 1, the user can navigate between the first element and the second element and quickly observe the related and extent of security risks associated with each element. Support for the current amendment of claim 1 may be found in the specification at least at paragraph [0040] – [0050] of U.S. Pat Pub. No. 2004/0168086 corresponding to the present application.

Applicant respectfully notes that claim 1 clearly recites “setting” a hierarchical relationship between two or more elements. However, regarding the cited and relied upon Beverina the Office Action admits that Beverina does not disclose setting a hierarchical relationship. The Office Action merely relies upon Beverina’s disclosure of a building and a floor within the building and based on the relationship between a building and a floor concludes Beverina discloses or suggests the setting of a relationship between two elements (i.e., the building and the floor in the building).

Applicant respectfully disagrees with the Office Action and submits that even if a relationship exists between the building and the floor disclosed in Beverina, such a relationship is limited to those that are necessary (i.e., inherent). Such necessary relationships relied upon by the Office Action do not require any setting or establishment since they are necessary. Therefore, Beverina discloses, at most, elements that are necessarily related.

Accordingly, Beverina does not disclose (admitted by the Office Action) setting a relationship between two elements or even suggest setting a hierarchical relationship between two elements since there is no need given the necessary or inherent relationships of the elements disclosed by Beverina. That is, Beverina fails to disclose or suggest that for which it was cited and relied upon for disclosing.

Thus, Applicant has clearly shown that the cited and relied upon Beverina does not disclose (admitted by the Office) or suggest setting a hierarchical relationship between two elements.

Applicant submits that even if Zimmers were combined with Beverina as alleged in the Office Action (not admitted as suggested by the references or feasible by Applicant), the alleged combination would not render claim 1 obvious. This is true since the asserted combination of references fail to disclose or suggest all of that for which they, in combination, were cited and relied upon for disclosing and/or suggesting.

Accordingly, Applicant respectfully requests the reconsideration and withdrawal of the rejection of claim 1 under 35 USC 103(a). Claims 2 and 4 – 10 depend from claim 1 and claims 15 and 16 are currently amended similar to claim 1. Applicant respectfully submits that claims 2, and 4 – 10 are patentable over Beverina and Zimmers for at least depending from an allowable base claim, and claims 15 and 16 are patentable for at least the same reasons as claim 1.

Therefore, Applicant requests the reconsideration and withdrawal of the rejection of claims 1, 2, 4 – 10, 15, and 16 under 35 USC 103(a), and the allowance of same.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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Date



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